

Draft of 7/7/16

Chadds Ford Township
Delaware County, PA

Planning Commission Meeting
Wednesday, June 13, 2016
7:00PM

Call to Order

The Planning Commission meeting was called to order at 7:00PM. Chairman Craig Huffman, Vice Chairman Tom Singer, Commissioner Bill Mock, Commissioner Tom Kerwin and Commissioner Valerie Hoxter were present. Also present were Ms. Amanda Serock, Manager, Mr. Michael Maddren, Township Solicitor, Mr. Michael Schneider, Township Engineer and Mr. Thomas Comitta, Township Land Planner. Mr. Matthew DiFilippo, Township Secretary and Assistant to the Manager and Mr. Patrick McKenna, Planning Commission Solicitor were absent. Ninety (90) people from the public were present.

Approval of Minutes

Chairman Huffman's motion to approve the minutes of May 11, 2016 was seconded by Commissioner Mock and passed unanimously.

Public Comment

There was no public comment.

Old Business: SALDO Application: Hillman Drive Extension, The Henderson Group

Ross Weiss noted that the applicant was asked to come back to the Planning Commission to discuss outstanding items from the Commission's May meeting. He provided several exhibits: A1 (applicant's response to Pennoni's review from Stantec), A2 (applicant's response to Pennoni's review from Traffic Planning and Design), A3 (Thomas Comitta's Review Letter May 19th), A4 (Fire Marshal Review Letter May 26th), A5 (Waiver Requests dated June 10th), and A6 (Plans). Chuck Olivo, the applicant's engineer, oriented the audience with the project location and discussed the following:

- Brandywine View Antiques driveway issue—he noted some of Ms. Vonderstuck's concerns regarding the entrances to her business as it related to her weekly deliveries by tractor trailers. Commissioner Huffman noted that the Commissioners received a letter outlining the business owner's issues and the need to keep the two (2) current entrances to her shop. Mr. Weiss asked if she requested, in her letter, that both of her entrances remain, and Commissioner Huffman responded that she didn't say that she wasn't willing to compromise. Commissioner Singer asked if PennDot had minimum distance requirements pertaining to driveway entrances from intersections, and Mr. Olivo responded that PennDot noted it was a minimal use entrance, so PennDot wasn't against it, but a detailed analysis wasn't conducted. Mr. Olivo continued that a detailed analysis would be a part of the HOP plans. Commissioner Huffman ended the

discussion stating that it could be a very unsafe situation because of the expected volume of traffic, but that hopefully a compromise could be reached.

- Elimination of left turn from Dickinson onto Baltimore Pike – Mr. Olivo and Mr. Weiss noted that the elimination of the unsafe turn came as part of discussions from previous meetings, and that drivers will now only be able to make a right hand turn from Dickinson Drive onto Baltimore Pike.
- Hillman Drive & 202 Intersection – Mr. Olivo stated that the applicant would take out the existing concrete median to construct four lanes. He noted that signage would be needed to restrict truck traffic and Mr. Weiss stated that the applicant agreed to the signage on all routes, but PennDot would need to approve any signage plan, too. Commissioner Hoxter requested that the applicant further explain how truck traffic would flow, and Mr. Olivo stated that trucks for local delivery would have to enter from Baltimore Pike onto Hillman Drive. Township Engineer Schneider noted that the signage would provide for a physical truck size restriction on Baltimore Pike and Hillman Drive. Commissioner Hoxter also requested a definition of a “local delivery” and how it would be enforced. Township Engineer Schneider stated that while it is difficult to enforce that type of signage, the roundabout will actually make it very difficult for large trucks to enter. Commissioner Hoxter asked if it would restrict Wegman’s trailers and Mr. Weiss stated that it would restrict those vehicles because they would not be considered trucks making local deliveries. Commissioner Singer noted that the point is to discourage those types of trucks.
- Driveway relocation to back of Painter’s Crossing development through Brandywine 7 building to Evergreen Drive – Mr. Olivo noted that this new driveway created a safer entrance to Hillman Drive for the residents at Painter’s Crossing, because the previously proposed entrance would force residents to navigate a steep hill and create limited site distance entering onto Hillman Drive.
- Roundabout – Mr. Olivo noted that the proposed roundabout will operate as a yield sign for drivers, and create a level of service A/ B based on the amount of time a driver would take to navigate the roundabout. He also noted that school buses could make the turn without using the concrete median, but that fire trucks would have to utilize the concrete median to make the turn.
- Sound Barrier Wall in front of Painters Crossing – Mr. Weiss noted that they are still a “will comply” with all items noted in the Township Engineer’s letter, except for the waivers in exhibit A5. Mr. Olivo noted that during a walk through with the applicant and the Township that there could be a possibility for a sound attenuating wooden fence in that area that would cause less disturbance of the area. He noted it could possibly be 150 ft. in length and 6 ft. high situated close to the road which would help with road noise and headlights. Mr. Weiss asked Mr. Olivo where the fence would be located, and Mr. Olivo responded that it would be located on both Painters Crossing Condos and Henderson property. Mr. Weiss noted that the Henderson Group would be willing to construct the fence if Painter’s Crossing would allow an easement for its construction. Commissioner Hoxter asked if the applicant could quantify the benefit of a fence with landscaping versus a wall? Mr. Olivo noted that the roadway elevation and sound attenuation fence should bounce the sound and send it up so it would

bypass the second level floor of the closest Painters Crossing building. Mr. Olivo noted that it was much better than just having landscaping. Commissioner Singer asked if Mr. Olivo's sound comments could be backed up with statistics and Mr. Olivo said it would not stop everything, but that it would help with sound and headlights.

Commissioner Huffman recognized the following comments from the public on the Hillman Drive application:

- Ron Coates, Painters Crossing resident, expressed concern about the effectiveness of a sound-attenuating fence and landscaping. Mr. Huffman responded that once the fence and landscaping are fully engineered then it can be discussed in more detail.
- Mr. Weiss noted that the applicant needed to do some additional engineering regarding the fence and come back to the Commission. He continued that the Commission didn't want to approve the plan until it was fully engineered and that the Commission's desire was to approve a preliminary/final plan which Mr. Huffman concurred. Mr. Weiss asked if it would be possible for the Commission to grant preliminary approval, because the extension they requested only takes them to July 31st and that they won't be able to submit an engineered plan by then. Mr. Weiss stated that his applicant wanted to offer the Board of Supervisors another extension again to allow them time to provide the fully engineered plans and come back before the Planning Commission in August. Chairman Huffman stated that the Board of Supervisors prefers a more complete plan before it is in front of them and that's why the Commission has requested a preliminary/ final plan to recommend. Mr. Weiss stated that they would appear at the next Board of Supervisors meeting to request an extension to allow them to come back to the Commission in August. Commissioner Huffman said that they would add them as an agenda item in August.
- Jon Mastriana, Magnolia Way, and president of the Estates at Chadds Ford Homeowners Association (EACF HOA), said that not all of his residents are in opposition to the loop road completion, they were not in opposition to the reconfiguration of the intersection at Hillman Drive and Wilmington Pike (Rt. 202), but that they were in opposition to the location of the roundabout and wondered if it could be revised to be at Dickinson Drive, adding that a stop sign at Evergreen and Hillman Drives would be preferred. Commissioner Huffman responded that he believed there was insufficient space in that location.
- Marilyn Zhou, EACF resident, provided the Commissioners with approximately fifty (50) petitions from EACF residents in opposition to the current configuration of the proposed loop road, particularly the location of the roundabout, the driveway location of Lot 12, and the new driveway entrance that would allow Painters Crossing residents to exit or enter onto Evergreen Drive. Mr. Hammond, traffic engineer for Henderson, stated that they did look at all of the alternatives, but that the current location of the roundabout provides for the safest and most efficient flow of traffic through Hillman Drive. He noted that a stop sign at Evergreen Drive would cause a backup onto the roundabout and traffic would have a difficult time to make a left out of the intersection onto

Hillman Drive from Evergreen Drive. He continued that PennDot preferred this method of traffic calming on Dickinson Drive versus a traffic signal. Mr. Mastriana stated that this entrance to the roundabout could create a potential dangerous intersection due to the sharp curve, and that this loop road is the only one with residential uses. Ms. Zhou requested that the roundabout be repositioned and that speed humps be considered, to which Township Engineer Schneider responded that installing speed humps had been initially ruled out due to the sloping and curvature of the road. Commissioner Huffman stated that everything in the discussion in the design of the loop road has been around two goals: (1) keep traffic at a low rate of speed, and (2) dissuade large trucks from going there unless it's out of necessity. He continued that the suggestions presented may reduce speed, but may increase the volume of large truck traffic, so these alternatives could impede the goals of the current design being considered.

- Matt Tucker, Magnolia Way (EACF resident), asked why the Township would be considering the roundabout on Evergreen Drive if those two goals were in mind? Mr. Hammond stated that it was very difficult to see on a two dimensional plan, but that the road declines in grade significantly from Baltimore Pike to Wilmington Pike (Rt. 202), and then inclines. He continued, speed humps on an incline or decline would impede traffic safety.
- Mr. Mastriana, Magnolia Way, EACF HOA President, stated that his residents had considerable concern with the proposed Painters Crossing driveway entering onto Evergreen Drive. He asked how they could make that safer for all residents and wondered if a parallel driveway could be made at the back of lot 11 instead of intersecting Evergreen.
- Hameer Ruppapel, Evergreen Drive, EACF resident, stated that the issue is that the existing road only contains cars from the business complex and that by adding additional vehicles from the Painters Crossing development would create more accidents. He stated that there are currently many accidents at that intersection. He asked if the roadway could feed the current driveway entering Hillman now? Mr. Hammond responded that they can't put anything through that area, because it is the regional stormwater basin. Mr. Mastriana requested that the Commissioners consider these concerns and potentially look into alternatives. Commissioner Huffman noted that the reason the new access point was considered onto Evergreen Drive was because it involved less curb cuts onto Hillman and that it provided additional opportunities for a fence near Painters Crossing.
- Matt Tucker, Magnolia Way, EACF resident, asked why Painters residents needed access. He continued that accidents would be eminent and Township Engineer Schneider noted that the engineers could look into any site distance issues.
- Lisa Vonderstuck, owner of Brandywine View Antiques, requested that the current driveway plans to her business be allowed, because she did not like the alternatives and that her current configuration is a full opening. She noted that her hours of operation are only Wednesday through Sunday. She asked Mr. Hammond to note that the evening peak hour traffic totals and he stated that it

would be 140 cars entering Hillman onto Baltimore Pike. She continued that she really needed that first entrance, because she gets about 3 to 4 tractor trailer deliveries per week, and without it they wouldn't be able to access her property. Commissioner Huffman noted that it was a challenging issue. He added using the example of the Chic-Fil-A entrance on State Farm Drive from Baltimore Pike is very close to the intersection and often creates unsafe traffic conditions. He said that it was an engineering issue, and was hopeful that an engineered solution would help make it safer. He requested a site visit with the engineers.

- Clark Hoffman, Painters Crossing resident and president of the Painters Crossing HOA said that his council is unanimous about having the roadway constructed by the Henderson Group, a local developer, rather than PennDot, implying that a compromise could be better reached working with a developer rather than PennDot. He added that residents must compromise as well. He continued that Painters Crossing always had two access points for fire/ambulance protection, so the Association supports the access road onto Evergreen Drive. He said maybe there could be three stop signs at that intersection to provide safety on Evergreen, and noted that he would be happy to share snow plowing road maintenance in inclement weather conditions. He continued that they do not want a wall like the Blue Route, but that they would like to see more design from the developer on the sound attenuating fence.
- William Bunch, Bunch's Auction House, Hillman Drive, applauded the sentiment put forth by Mr. Hoffman. He noted that the residents did not want PennDot to construct the road. He stated that everyone needed to come together and be conscious that someone was spending private money and bending over backwards to try and give everybody a piece of the pie that they are looking to get. Mr. Mastriana requested that the EACF be included in meetings with the Henderson Group. Mr. Mark Eisenhardt, representative from the Henderson Group, noted that he had submitted plans and previously attended a meeting with the EACF board.
- Vicki Hoxter, Painters Crossing resident, thanked the Estates for discussing the current safety issues on Evergreen Drive. She also asked if there were any studies done on the effectiveness of the sound fence? The Township Engineer stated that he would review a proposal from the applicant once it's submitted, but he noted that it would definitely be better than just landscaping.
- Greg Schneider, Pin Oak, EACF resident, stated that he was concerned regarding the new driveway location of Painters Crossing onto Evergreen Drive, because the headlights could start hitting their homes on Pin Oak. He continued that they are only focusing on a headlight issues at Painters Crossing and not for the residents at the Estates. Commissioner Huffman noted that he thought the elevation of Pin Oak was too high to have headlights shining in that direction from Evergreen Drive.
- Bruce Trotter, Magnolia Way, EACF resident, stated that there was a problem with safety on Evergreen Drive during inclement weather and that it feels like you are skiing down the roadway when it snows. He felt there was no consideration of their concerns of moving the driveway or the circle toward Dickinson Drive. Commissioner Huffman noted that the Township would

consider all possible concerns and explore all options.

- Vicki Hoxter, Painters Crossing resident, asked who was taking on the expense of moving the utilities on Hillman Drive and Wilmington Pike (Rt. 202), and Mr. Hammond noted that the developer would be incurring those expenses and that it happens all the time.

Old Business: PRD Application, Harrier LLC, Wonderland Farms, Oakland Road (adjacent to Bellefair Lane)

Mr. D'Ignazio, applicant's attorney, opened the discussion by stating his client just received the Township Engineer's review letter dated June 8th, but that he wanted to comment on two legal matters: (1) he handed Township Solicitor, Michael Maddren, a prepared brief that outlined that his applicant did not need to make an application for conditional use per the steep slope ordinance, because under article six of the MPC his approval can be approved as a condition for recommendation for tentative approval, and (2) Engineer's comment regarding 9(a) that the applicant shows the Ella Court driveway as a private easement as opposed to a ROW per the code. Mr. D'Ignazio stated that the developer would be placing a sign at the entrance indicating that it's for residents and guests only. Commissioner Huffman stated that he thought Ella Road was going to be maintained as a private road and the PRD will be responsible for its maintenance. Mr. D'Ignazio stated that the developer would make an offer to the Township to accept dedication and continued that he was only here for a tentative approval.

Marty Eustace, applicant's engineer, stated that he received the June 8th comments from the Township Engineer and wanted to note the following per the Engineer's outlined numbered comments:

1. Legal discussion ongoing.
2. Majority of the natural resources will be protected through open space designation.
3. (a) Applicant is requesting a waiver; (b) Applicant is requesting a waiver; (c) Lots 13 and 19 do not comply but conflicting section of the code so further discussion with the Township is needed.
4. Will Comply.
5. Will Comply.
6. Legal discussion ongoing.
7. Requesting relief. Commissioner Huffman asked where the applicant planned to push snow and Mr. Eustace stated there were plenty of open space areas that it could be piled to on the street. He continued that the Fire Marshal had signed off on the access points.
8. Road alignment won't have curbing on both sides. Trail along Oakland is not a sidewalk, but will be made with a stronger surface.
9. (a) Legal discussion ongoing; (b) No issue with site distance and seeking a waiver. Mr. Eustace noted that it did meet the PennDot requirement; (c) Applicant will comply; (d) Waiver requested, if required. Applicant will work with the Township engineer to figure out how to achieve everyone's goals. Commissioner Huffman asked what was happening with the road improvements on Oakland Road and Mr. Eustace replied that the developer will work with the Township to get an easement for a discharging project and that their development dramatically reduces the runoff

onto Oakland.

10. Mr. Eustace discussed that their current lighting proposes 11ft high lighting. He also requested that more be discussed about lighting, because per the code the developer is to illuminate Open Space areas after dark and his applicant would like to avoid light pollution. Commissioner Huffman stated that limiting the lighting might be best.
11. Commissioner Huffman noted that maybe the Wonderland Farms residents could decide if they wanted a playground.
12. Will comply. Needs Solicitor review.
13. Will comply.
14. Will comply.
15. Will comply.
16. Will comply.
17. Will comply. Mr. Grace, the applicant, noted that they would work together to keep some of the larger trees.
18. Will Comply.
19. Will Comply.
20. – 36. Stormwater Design is still being reviewed/discussed by the engineers.
21. Will comply.
22. Will comply - trail near wetlands will have to submit permits to DEP for some of their crossings. Engineers still discussing for field spotting of the trail. Chairman Huffman suggested they avoid as much environment impact as possible.
23. Will comply.
24. Will comply.
25. Will comply.
26. Will comply.
27. Will comply.
28. Will comply.

Commissioner Huffman noted that the applicant needed HARB approval for the twin homes proposed because they were in the Historic District.

Tom Comitta, Township Land Planner, asked if the applicant could consider eliminating the street in front of the twin homes and just have a back access way? Mr. Grace responded that they had looked at several new developments and that Toll Brothers had recommended this type of design, especially because Ella Road would be hidden by landscaping and that emergency situations could be handled better with the circulation of the roadway. Mr. Comitta noted that the cost of the front roadway was probably very high and that green space would be more in line with the Township's Comprehensive Plan. Mr. Eustace noted that they needed to provide ample parking for guests and Mr. Comitta noted again that it was a very expensive piece of paving that wasn't necessary and that it could be a beautiful green space. Mr. Grace stated that they would look into the possibility. Commissioner Mock noted that there could be a setback issue by moving the building closer to widen the driveway in the back. Mr. Eustace stated that the applicant needed to be 100 feet from the boundary line per the PRD. Mr. Comitta stated that another option would be to narrow the access way and consider installing porous pavers

similar to what's used in the Township's parking lot.

Commissioner Hoxter inquired if the twin units were staggered and Township Engineer Schneider noted that they currently are not. Mr. D'Ignazio noted that during the HARB approval that the applicant would be amendable to different colors on the unit fronts and facades. Mr. Grace noted that in the Dilworthown area there are twin units not staggered.

Commissioner Huffman asked the applicant if they were seeking a recommendation this evening for tentative approval? Commissioner Hoxter noted the outstanding legal issues and Mr. Maddren, Township Solicitor, commented that as a condition of approval the Commissioners could put the zoning issues included in their recommendation. Mr. D'Ignazio noted that the whole idea of the PRD process was so that it would be expeditious.

Samantha Reiner, resident Webb Road, Township Supervisor, asked if the applicant had submitted a planning module for the twins and inquired if the applicant had explored sewage alternatives outside of the Township? Ms. Reiner commented that the Township didn't want another Ridings Plant situation. Mr. Eustace, applicant's engineer, commented that the applicant had lengthy discussions with surrounding municipalities to convey their sewage across municipal lines, but that there was nothing available to them.

Commissioner Huffman's motion recommending tentative approval pursuant to solicitor review of steep slope issues, engineer review of stormwater issues, solicitor review of the applicants request for relief of the twin dwellings being less than 50 feet from the internal street line of Ella Court, compliance with the Pennoni review letter dated June 8th, 2016 and further that we move a waiver be granted pursuant to #3(a.-c.) except that #3(c) would only apply to flag lots and no other lots, #7 subject to recommendation of this committee that the Township consider not accepting dedication in the future, #8 waiver on sidewalk, #9(a) subject to approval by our solicitor that Right of Way is not applicable because it is a private road, #9(b) subject to recognition of the Township's engineer that no unsafe condition exists, #9(d) subject to satisfactory stormwater resolution, and #10 to allow lighting updated in open space areas, except that no waiver be granted on light heights, was seconded by Commissioner Kerwin.

Solicitor Maddren asked the applicant if they would provide an extension for the hearing to August and Mr. D'Ignazio stated that if the motion passes his applicant would provide an extension.

Motion passed unanimously.

Mr. D'Ignazio stated that an extension would be given to the August Meeting. Township Manager Serock asked for something in writing from the applicant.

New Business: SALDO & Conditional Use Application, 1770-1778 Wilmington Pike, Assisted Living Facility (E3 Ventures, Mr. Ed Morris)

Mr. Fred Fromhold, applicant's attorney, began the discussion and handed Manager Serock their certificates of notification to the neighbors. He continued that all of the items in the Pennoni review letter are virtually "will comply."

Mr. Ed Morris, applicant, discussed the following: the eighty-eight (88) unit Assisted Living Facility proposed is situated on 2.4 acres on Wilmington Pike; the main entrance would be on Wilmington Pike with a secondary access driveway on Summit Drive; he has met with the neighbors in the area and was provided good feedback; the average age of his residents is 85.3 years; the facility would be full service with an indoor salon, library, and other amenities; passive recreation outdoors will be provided; and, it's a low impact use for the space, and its economic impact to the community is projected at a revenue of \$542,000.

Mr. Fromhold noted that the plan showed sixty-five (65) parking spaces for the eighty-eight (88) units per previous discussion recommendations by the Planning Commission. And, Mr. Chris Yohn, applicant's engineer, stated that the applicant proposes to tuck the building into the grade so that it won't appear to be tall from the rear of the property. He also noted that he wanted to further discuss some stormwater initiatives with the Township's engineer per his review comments.

Mr. Mark Kuberski, architect for the applicant, stated that they tried to tie the architecture into the neighborhood by using a lot of stone on the façade and complimentary siding materials. Ms. Thomas, applicant's landscape architect, noted that the development proposes a lot of varied street scape design with hedges and different shade trees along Wilmington Pike (Rt. 202).

Mr. Frank Tavani, applicant's traffic engineer, noted that the development intends to close two existing curb cuts on Wilmington Pike and also stated that this type of facility is very low intensity and that the employees operate on standard medical shifts 7am-3pm, which is opposite of rush hour.

Mr. Fromhold then handed Manager Serock his applicant's response letter to the Pennoni review letter, which the Commission and Township officials were viewing for the first time. He then discussed a few items noted that needed more review: (2) Will comply, but area is not used for served meals; (3) Need Zoning Officer Review; (7) Will comply, but would like the Township engineer's feedback on location suggestions; and (10) Will comply, but we think any impact would be incidental with all of the landscaping proposed and that the applicant also needs to keep length for emergency vehicles.

Chairman Huffman asked how ambulances would access the site and Mr. Morris responded that it is a very controlled environment when that happens and they would use the front entrance on Wilmington Pike.

Mr. Fromhold also noted that there would only be about a half dozen deliveries per week,

so the secondary access on Summit Drive would not be used very heavily. Mr. Morris continued that deliveries could be at a time that works for residents in the area as to decrease the noise. Manager Serock noted the Township's Noise Ordinance.

Mr. Fromhold continued with his discussion on items noted in the engineer's letter that needed further review: #12 the applicant only intends to remove some trees that they feel aren't healthy; #22 the applicant would like to discuss Fee-in-lieu because they believe their recreation complies with the requirements; #27 Mr. Yohn noted that this needs to be further discusses, because it is low volume and may not warrant widening on Summit and most of the improvements need to be done on the opposite side of the street near CHOP. Mr. Fromhold requested that the Commission consider recommendation on the preliminary plans, so that they could get before the Board of Supervisors on the Conditional Use Hearing.

Chairman Huffman requested that the applicant come back in July with revised plans per the Township Engineer's review. He also noted that it would be best to have revised plans in front of the Board of Supervisors for the hearing.

Mr. Thomas Comitta, Township Land Planner, noted that there were no sidewalks proposed and the applicant's engineer stated that there were not sidewalks near the development. Township Engineer Schneider noted that something could be added to the plans for the development of future sidewalks.

Chairman Huffman opened up the discussion to public comment:

- Peter Mattis, Longview Road resident, inquired about his lack of notification and commented that the applicant should be aware of snow removal issues on Wilmington Pike and Summit.
- Mike Pessagno, Longview Road resident, commented that he was opposed to the commercial entrance on Summit and the back side of the building. He also was concerned about the cartway issue on Summit with increased commercial vehicle use and possible accidents at the intersection of Wilmington Pike and Summit as a result of the increased use. He continued that there are currently issues with CHOP's over use and parking on Summit.
- Jim A., son of resident living adjacent to the property, commented that the narrow cartway width of Summit is a huge problem, especially when it will be used for commercial vehicles and asked if the truck access could be relooked for access from the front of the property.

Chairman Huffman commented that it was a very low impact development where the majority of access will happen along Wilmington Pike. He also commented that this was a good development for the uses that are allowed on the parcel.

- Mr. Pessagno noted that you only have one opportunity to make the development right, so why not do it right and Commissioner Huffman noted that the cartway width on Summit would be looked at closely.

Township Solicitor, Michael Maddren, noted that this application is permitted by conditional use and not just by right. He continued that the Board of Supervisors will ultimately be able to put conditions on the project.

Commissioner Hoxter noted the Delaware County Planning Departments review comment regarding the possible historical significance of the Cape Cod building located on the property. Mr. Morris stated that the register denied it as historically significant for recognition as a national register.

Chairman Huffman asked Manager Serock to have someone look into the Cape Cod on the property to see if there's anything worth preserving.

New Business: Conditional Use Application: 1609 Baltimore Pike, Assisted Living Facility (Brandywine River Hotel)

Mike Sheering, applicant's attorney opened the discussion by identifying the project location, its B zoning designation, and location in the HARB overlay district.

David Schnell, the applicant's Architect, noted that the facility is proposed to host 64 beds (32 in existing building and 32 in new building). He noted that their proposal included a two story addition off of the back of the current building, and that it included passive recreation and full services for its residents. Parking would include 41 spaces, but that it was still being engineered. .

Mike Sheering stated that he received the engineer's review and Township Solicitor Maddren noted to the applicant that the use was not permitted by condition or as of right by the code. Mr. Sheering noted that his applicant's project was a low impact use that would fit in nicely to the village area.

Chairman Huffman agreed it was low impact, but that he didn't feel it fit into the village area. Mr. Sheering asked if the Township would support this use or not, because the applicant wouldn't go down the road to obtain variances if it wasn't a supported project. Commissioners Huffman, Mock, Kerwin, Singer and Hoxter noted that they really didn't support the plans. And, Commission Huffman commented further that the Zoning Task Force has been reviewing the uses in every district and this was not a use listed under the current draft for the Village district that is being proposed. He continued that besides the zoning issues, there were flooding issues in the area that could cause an issue with this type of development. However, he noted that they are only advisory and that ultimately the Board of Supervisors gets to make the decisions if they choose to continue in the process and submit formal plans.

New Business: Act 537 Plan Update

Manager Serock requested any formal comments from the Commissioners on the current Act 537 draft by the July 13th meeting.

Manager Serock also discussed that the Commissioners in July would be taking a look at a draft ordinance addressing outdoor dining.

Public Comment

Mike Ashmore, Keepsake Lane resident, asked if the Township was looking into our transportation structure. Engineer Schnieder responded that he just prepared an updated Township Road map that included traffic calming measures.

Noelle Barbone, resident on Bellefair Lane, Township Supervisor, asked if the Assisted Living Facility proposed for 1778 Wilmington Pike could be shrunk in size or go higher to create a smaller footprint on the parcel? Township Engineer Schneider stated that they meet the building heights and setback currently, and Commissioner Mock noted that the applicant has reduced its size per direction of previous Planning Commission meetings. Commissioner Huffman noted that we also need to be mindful to not create a structure that towers over everything else.

Adjournment

Commissioner Huffman's motion to adjourn at 11:56 am was seconded by Commissioner Mock and passed unanimously.

Respectfully submitted,

Amanda Serock, Township Manager